

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, January 12, 2009 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 1-8-09

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President

JoAnne Arruda-Vice President

Hannibal Costa

Louise Durfee

Jay Lambert

Cecil E. Leonard

Edward Roderick

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

- (C.A.) 1. a.** Approval of Minutes from December 8th, 2008 Regular Council Meeting
b. Approval of Minutes from October 27th, 2008 Regular Council Meeting
(Councilors Lambert, Leonard and Roderick Abstained – Prior to Election)

- (C.A.) 2.** Receipt of Minutes from the Following Boards, Commissions
a. Conservation Commission **e.** Zoning Board (2)
b. Library Board of Trustees **f.** Arts Commission
c. Planning Board of Appeals **g.** Open Space Commission
d. Waste Water Management(2) **h.** Planning Board (2)

(C.A.) 3. CORRESPONDENCE - RECEIVE AND FILE

- a.** Received From Town Treasurer Philip DiMattia's Regarding Swearing In
b. Received From Interlocal Trust Annual Dinner Meeting January 22, 2009
c. Received From City of Warwick Resolution Relative to Pilgrim High School
d. Received From Weavers Cove Regarding September and October Reports
e. Joint Petition By Verizon N.E. and Narragansett Electric Co. Proposed Pole and Response From S. Berlucchi, Director DPW
f. Received From Senator Louis P. DiPalma Regarding Possible Meeting
g. Received From Tiverton Budget Committee Regarding FY 09 Reduction in State Aid – Previously Distributed
h. Received From James Amarantes Regarding Response to Open Meeting Complaint Against Council
i. Received From Interlocal Trust Regarding Seminar on January 31, 2009
j. Received From RIDOT Regarding Economic Stimulus Package Plan
k. Request by Sandywoods Farm to Advertise for Public Hearing on Stop Sign

B – PUBLIC HEARING – ADVERTISED

1. Attorney Stephen Haire Representing Joseph Bossom and Church Community Housing Corporation, Sandywoods Farm for Partial /Street Abandonment of five (5) Certain Areas of Kennedy Drive, Presidential Drive, Eisenhower Drive and Cornell Road Pursuant to RIGL 24-6-2

C - BOARD OF LICENSING COMMISSIONERS -NON ADVERTISED

1. Mr. Andres Lopez , Newburg Enterprise, LLC - Request Petroleum storage License for Gas Station Located at 1837 Main Road– Subject to Meeting All Legal Requirements
2. Ferrell Gas, Inc., 896 Fish Road – Request Approval of Annual Renewal Petroleum Storage License – Subject to Meeting All Legal Requirements – Late Filing
3. Countryview Estates, LLC – Continued From December 8th Meeting – Annual Renewal of Manufactured Home Elderly Community License
 - a. Planning Board Response Dated January 6, 2009
 - b. DPW Director Email Dated January 7, 2009
4. DPW Director, S. Berlucchi – Request Petroleum Storage License for Department of Public Works, 50 Industrial Way – Subject to Meeting All Legal Requirements

D - APPOINTMENTS & RESIGNATIONS:

Interviews for:

1. Harbor Master
 - a. Request by Philip LaPointe, 136 Cypress Ave
 - b. Request by David E. Vannier, 148 East DeMello Drive
2. Juvenile Hearing Board
 - a. Request by Adam J. Cox, 134 Field Stone Lane
 - b. Request by Richard Bush, 110 Fir Avenue
 - c. Request by Rene G. Brown, Esq., 325 State Avenue
3. Library Board of Trustees
 - a. Request by Maureen Morrow
4. Historical Preservation Commission
 - a. Request by Susan Anderson
5. Recreation Commission
 - a. Request by Chris Roemlein, 73 High Hill Road
 - b. Request by Joshua A. Mello, 78 Fir Avenue
6. Tree Warden

E - UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS:

1. Town Administrator – Request transfer of funds
 - a. From Account 101-550 (Recording Expenses) to Account #101-375 (Legal Zoning Issues) in the amount of \$10,0000
 - b. From Account 214-100 (Personal Services-Treasurer) to Account 105-539 (Litigation) in the Amount of \$8,500
 - c. From Account 112-100 (Personal Services-T/Adm) to Account 105-539 (Litigation) in the Amount of \$25,000

G - NEW BUSINESS:

1. Councilor Lambert –Reduction of Compensation for Town Council Members
2. Councilor Lambert – Proposals for Any State or Federal Stimulus Programs and Projects
3. Councilor Lambert – Discussion of Resolution to General Assembly Requesting Legislation
 - a. Reduction in Compensation for All Members of General Assembly
 - b. Elimination o f Health Care Benefits for All Members of General Assembly, or Increase in Co-Pay for Health Care Benefits
 - c. Freeze All Further Pay Raise Increases for State Employees
 - d. Freeze on All Further Hiring of State Employees Until There is a 10% Reduction

H – BIDS AND REQUESTS FOR PROPOSALS

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Funds for Attendance at Grow Smart RI: Making Good Land-Use Decisions
2. Decision of Attorney General Amarantes v. Tiverton Town Council
3. Charter Resolution to General Assembly
4. Public Update on Corvello v. NE Gas

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)
2. Town Administrator — 42-46-5(a) (5) – Possible Acquisition or Disposition of Town Held Property
3. Councilor Leonard /Town Administrator – 42-46-5(a)(2) – Collective Bargaining AFSCME , Teamsters, IAFF and IBPO

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

- 6. ADJOURNMENT** Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”